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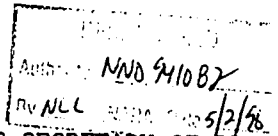


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THE JOINT CHIEFS OF STAFF
WASHINGTON, D. C. 20301

JCSM-683-66

22 OCT 1966



MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Ransoming of US and Other Free World
Prisoners of War in North Vietnam (S)

1. (S) Reference is made to an oral request by Ambassador W. Averell Harriman of the Department of State for the views of the Joint Chiefs of Staff regarding the desirability of ransoming US and other Free World prisoners of war (PWs) in North Vietnam (NVN).
2. (S) The Joint Chiefs of Staff support every honorable effort to free US and other Free World PWs. There are several reasons why an effort to ransom PWs could be supported. If successful in NVN, such efforts would:
 - a. Be consistent with the US Government obligation to exert all efforts to obtain the freedom of the PWs.
 - b. Emphasize the value the United States places on the importance of the individual human being.
 - c. Provide a means whereby negotiations may be broadened to include other important matters.
 - d. Provide an opportunity for intelligence collection from returned PWs.
 - e. Remove these PWs as a source of propaganda exploitation.
3. (S) However, the Joint Chiefs of Staff believe that the following disadvantages greatly outweigh the benefits of ransoming PWs from NVN:
 - a. Any effort to ransom PWs from NVN could have an adverse effect on the morale of Free World fighting forces and PWs in South Vietnam and Laos.

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b. The payment of ransom to an aggressor nation could encourage further disregard for the objectives of the Geneva Prisoner of War Convention of 1949.

c. Articles II and III of the "Code of the U. S. Fighting Man" could be undermined by the hope of ransom.

d. Any ceasefire connected with the ransom efforts would provide NVN with an opportunity to strengthen its military posture both within and outside its borders.

e. Any material or supplies given to NVN will enable them to increase their efforts against Free World forces. The payment of ransom in any economic form is inconsistent with the US effort to prohibit trade with NVN and Communist China.

f. If handled skillfully by NVN, this issue could offer propaganda opportunities to NVN which could adversely affect public opinion. NVN tactics toward this end might include:

(1) Setting an unreasonably high price.

(2) Varying the ransom or agreeing to free on the basis of race, rank, religion, and/or nationality.

(3) Agreeing to ransom only a selected fraction of the PWs.

(4) Specifying conditions which would tend to create dissension between US and other Free World forces.

(5) Identifying ransom with "war criminal" charges.

(6) Presenting counterproposals with which the United States may not be able to comply.

g. An offer of ransom could be taken as a sign of weakness in the US resolve to gain an honorable solution to the conflict in Southeast Asia.

h. If US efforts to ransom PWs are limited to NVN, the vast majority of those who would benefit would be officers. Unless similar action is taken on behalf of other PWs held in South Vietnam, where most of the PWs are enlisted personnel, serious problems could arise on grounds of discrimination and preferential treatment.

i. In any future conflict, the precedent established by ransoming PWs from NVN could provide an incentive to utilize such PWs as hostages for ransom. The miserv of PWs might be increased as a deliberate means to motivate US humanitarian desires to secure release.

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4. (S) The Joint Chiefs of Staff recommend that efforts to ransom US and Free World PWs from NVN not be encouraged or supported and that a memorandum, substantially the same as contained in the Appendix hereto, be forwarded to the Secretary of State.

For the Joint Chiefs of Staff:

SIGNED

L. J. KIRN

Rear Admiral, USN

Vice Director, Joint Staff

Attachment

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APPENDIX

DRAFT

MEMORANDUM FOR THE SECRETARY OF STATE

Subject: Ransoming of US and Other Free World
Prisoners of War in North Vietnam (S)

1. (S) Reference is made to an oral request by Ambassador W. Averell Harriman to the Joint Chiefs of Staff for their views regarding the desirability of ransoming US and other Free World prisoners of war (FWs) in North Vietnam (NVN).
 2. (S) While the Joint Chiefs of Staff support every honorable effort to free US and other Free World FWs, they have recommended that we should not support the ransom of FWs in NVN for the following reasons:
 - a. Any effort to ransom FWs from NVN could have an adverse effect on the morale of Free World fighting forces and FWs in South Vietnam and Laos.
 - b. The payment of ransom to an aggressor nation could encourage further disregard for the objectives of the Geneva Prisoner of War Convention of 1949.
 - c. Articles II and III of the "Code of the U. S. Fighting Man" could be undermined by the hope of ransom.
 - d. Any ceasefire connected with the ransom efforts would provide NVN with an opportunity to strengthen its military posture both within and outside its borders.
 - e. Any material or supplies given to NVN will enable them to increase their efforts against Free World forces. The payment of ransom in any economic form is inconsistent with the US effort to prohibit trade with NVN and Communist China.

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f. If handled skillfully by NVN, this issue could offer propaganda opportunities to NVN which could adversely affect public opinion. NVN tactics toward this end might include:

- (1) Setting an unreasonably high price.
- (2) Varying the ransom or agreeing to free on the basis of race, rank, religion, and/or nationality.
- (3) Agreeing to ransom only a selected fraction of the PWs.
- (4) Specifying conditions which would tend to create dissension between US and other Free World forces.
- (5) Identifying ransom with "war criminal" charges.
- (6) Presenting counterproposals with which the United States may not be able to comply.

g. An offer of ransom could be taken as a sign of weakness in the US resolve to gain an honorable solution to the conflict in Southeast Asia.

h. If US efforts to ransom PWs are limited to NVN, the vast majority of those who would benefit would be officers. Unless similar action is taken on behalf of other PWs held in South Vietnam, where most of the PWs are enlisted personnel, serious problems could arise on grounds of discrimination and preferential treatment.

i. In any future conflict, the precedent established by ransoming PWs from NVN could provide an incentive to utilize such PWs as hostages for ransom. The misery of PWs might be increased as a deliberate means to motivate US humanitarian desires to secure release.

3. (S) If we are to realize the objectives of the Geneva Convention on Prisoners of War, the United States must not be a party to undermining it by special arrangements of this

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nature. While the contact required for ransoming of PWs might provide a useful channel for future negotiating opportunities with NVN, the United States should continue its efforts to rally world-wide support for its position of abiding by the letter and the spirit of the Geneva Convention.

4. (U) I concur with the recommendation of the Joint Chiefs of Staff.

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